

**4/00544/16/FHA - TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSION,  
NEW CAR PORT AND ALTERATIONS TO APPEARANCE OF THE HOUSE.  
KINGSMEAD, KINGS LANE, CHIPPERFIELD, KINGS LANGLEY, WD4 9EN.  
APPLICANT: MRS DUNCAN.**

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[Case Officer - Rachel Marber]

### **Summary**

The proposed two storey side extension, single storey rear extension, loft conversion with associated rear dormers and detached car port would not detriment the visual amenity of the existing dwelling house, Chipper field Conservation Area, immediate street scene or the residential amenity of neighbouring residents. The proposal is therefore in accordance with saved appendices 3, 5 and 7 and policy 120 of the Dacorum Local Plan (1991), policies CS6, CS11, CS12 and CS27 of the Core Strategy (2013), and the NPPF (2012).

### **Site Description**

The application site features a two storey detached dwelling located on the west side of Kings Lane which falls within the Chipper field Conservation Area and designated small village in the Green Belt. The site is set back from Kings Lane on a generous gravel front drive with front boundary treatment shielding the dwelling from being overtly visible from the street scene; however, the rear of the property is visible from the open fields to the rear of the application site.

Kings Lane is predominantly characterised by detached properties situated on generous plots. Each property is varied in terms of character, build line, size and architectural detailing. The overall area has a verdant character aspect emphasised by the surrounding Green Belt fields.

### **Proposal**

The application seeks permission for a detached carport, single storey rear extension, two storey side extension and loft conversion with three additional rear dormers. The proposed alterations would increase the dwelling from a four bed into a six bed property.

The proposed scheme has been amended in order to recess the rear extension, smaller rear dormer windows and a reduction in the scale and size of the detached carport.

### **Referral to Committee**

The application is referred to the Development Control Committee due to the contrary views of Chipperfield Parish Council.

## **Planning History**

4/02247/13/TC WORKS TO TREES INCLUDING FELLING OF YEW, HOLLY, TWO  
A CYPRESS AND TWO BIRCH TREES.  
Raise no objection  
25/02/2015

4/01330/07/TC WORKS TO TREES  
A  
Raise no objection  
12/07/2007

## **Policies**

National Policy Guidance (2012)

National Planning Policy Framework (NPPF)

Adopted Core Strategy (2013)

CS6 – Small Village in the Green Belt  
CS11 - Quality of Neighbourhood Design  
CS12 - Quality of Site Design  
CS27 - Quality of the Historic Environment

Saved Policies of the Dacorum Borough Local Plan (1991)

Policy 13 – Planning Conditions and Planning Obligations  
Policies 120- Development in Conservation Areas  
Appendix 3- Gardens and Amenity Space  
Appendix 5- Parking Provision  
Appendix 7 - Small-scale House Extensions

## **Constraints**

Established residential area of Chipper field

- Small Village in the Green Belt
- Special Control for Advertisements
- Chipper field Conservation Area

## **Summary of Representations**

### **Comments received from consultees:**

Chipper field Parish Council

## **Objection**

The application is not in keeping with The Design Statement

More detail is needed on the size, it appears it is over the 30%

### **Comments received from local residents:**

The Old Cottage

#### **Objection**

*"We are writing to raise serious concerns and objections with respect to proposed buildings in planning reference number 4/00544/16/FHA. We believe that the proposed suggested buildings, in particular the triple car port adjoining our property, will seriously block light and overshadow our home thereby compromising our quality of life, in addition to a serious visual intrusion in a designated conservation area and loss of privacy. In addition, we would like to draw attention to the very large building that has already been recently constructed to the rear of our home, which has already resulted in substantial loss of privacy and light to the rear of our home, and ask that this new proposal should jointly consider this recent building work in order to assess 'overall impact' as the approval of these plans we mean we would become overshadowed from **ALL** sources of natural light into the downstairs area of our home. We would welcome your inspector into our home for you to assess this for yourselves.*

*In addition to the visual and privacy intrusion of the overall proposed works on not just our home but this conservation area and surrounding homes we would like to **categorically reject the triple car port in its current proposed position** because of the unacceptable impact it will have on us for the following reasons:*

- (1) The position of this very large car triple port will mean it will completely overshadow our kitchen and substantially block natural light into the downstairs area of our home. In addition to the recently built building to the rear of our house, this will mean our entire home will be overshadowed. This will necessitate the use of unnatural light at all times in our home downstairs and will seriously compromise our quality of life.*
- (2) Grant of this planning application will mean our own modest extension to our home, that we worked hard to ensure was in keeping and proportion to a conservation area and has already been started, will not be possible to complete (Planning reference number: 4/02265/08/FHA).*

*It is important to contextualise that a number of substantial works have already been carried out at Kingsmead in recent years that I am unsure of how much the planning department was involved, including but not limited to: the creation of a new vehicle access point and driveway, external redecoration and addition of windows to the front roof of the building and most notably a very large, dominating building to the rear of our property. We directly approached our neighbours about the large building they have recently built to the rear of our home as it seriously compromised the privacy of our own, an issue which they reduced, but did not resolve by planting a line of trees (we have lost light into our living room as a consequence, but it was a compromise to our*

*substantial loss of privacy). They informed us planning permission was not required for this property to the rear, but with this recent application, in particular the very large car port, we are deeply concerned that the light into our home will be shut off from all natural sources and very much hope you will support us in turning down this planning application."*

## **Objection**

*"Thank you for alerting us to the recent amendment/additional information on the planning application submitted by Kings Mead, Kings Lane our immediate neighbour. We would like to re-iterate our serious concerns and objections with respect to proposed buildings in planning reference number 4/00544/16/FHA and the objections we made in our previous statement dated 18<sup>th</sup> March, 2016 all remain. We have inputted into and support the views of our neighbours and the response sent to you collectively on the wider development in response to the amended plans and will not repeat that here. However, due to the serious threat to our quality of life we wanted to complement this collective objection with more in-depth information on the proposed car port. We believe the car port (including if a two car port) adjoining our property, will seriously block light and overshadow our home thereby significantly compromising our quality of life, in addition to a serious visual intrusion in a designated conservation area. The positioning and proximity of the current house and carport relative to our home as shown on the plans in the application are misleading. In Diagram 1. (see below, Diagram 1, Exhibit A-D) we have shown a copy of the plan submitted (Diagram 1, Exhibit A) alongside an 'actual' aerial view of the properties (Diagram 1. Exhibit B), so that you can contrast these. We have then combined the two in order to represent a more realistic representation of the proposed work (Diagram 1, Exhibit C). We would request that an inspection is carried out so that an accurate understanding of the genuine impact of the plans can be seen. You will note the following:*

- We have just over a car width between our property and the boundary fence, it is in close proximity (one car fits in to our narrow driveway but we struggle to open doors on both sides at once) (Diagram 1, Exhibit D).*
- On the opposing side of our house to the carport we have no windows /source of natural light as this part of our home backs onto our other neighbour's house (See Diagram 1., Exhibit B).*
- At the far end of our building to the front we also have no windows or light as the neighbour on the other side already has a garage in front of our home, immediately juxtaposing our house (See Diagram 1, Exhibit B).*
- We will become near enclosed on our already very narrow driveway /entrance to our home We believe permission granted for this carport/courtyard will lead to the entrance to our home becoming a 'dark alleyway' and will infringe on our right to light into our home (our main source of light is from the windows facing the back of the proposed carport, we have no windows facing frontwards towards the road at all downstairs).*

- *The carport will block light to the windows of our kitchen and a main source of light into our living room and poses a significant threat to our quality of life in our home, necessitating artificial light in daylight hours.*

*In summary, we totally reject the statement made in the submission that this carport would in any way be mutually beneficial, it would only be beneficial to the Kings Mead property and would seriously detract from our life in our home. The neighbouring property at Kings Mead has multiple windows facing towards the road and would retain their light, while our home life would be seriously impacted through lack of natural light as the majority of our windows face the back of the proposed carport and would be in very close proximity. As highlighted in the application, Kings Mead have a generous plot and there are many other places where a carport could be constructed where the light into our home would not be compromised. However, with the extensive re-development being proposed we appreciate that some of those potential areas of land will become developed in themselves (e.g. the other side of the house), thus re-highlighting the issue of overdevelopment of this plot.*

*We do not believe this development will be sympathetic to its surroundings in terms of local character, design, scale, landscaping and visual impact in any way, creating a very dominating building in our street and will seriously detract from this conservation area (as detailed further in the collective response with our neighbours), including blocking views towards our own home, which originated in the 1600s (despite the current application implying the surrounding homes were built in the 20th century)."*

(Received 11/05/16

#### Little Copthall

I would like to register my concerns regarding the above application as I feel that the scale of the development would not be in keeping with a conservation area. I feel that the plans to expand the property on an already exposed plot, as there is no hedging to the front of the property would not be in keeping with village feel.

My own property (little Copthall) is not currently overlooked by Kingsmead but due to scale of the plans to have a significant loft conversion this would all change and I would lose a significant amount of privacy as a result.

I hope the council serve to protect this beautiful village from excessive development.

#### Copthall Cottage

#### **Objection**

As a direct neighbour, I find it necessary to object to several aspects of the above planning application relating to Kingsmead, Kings Lane, Chipperfield. I would like the following points to be taken into account when this application is considered:

1. The planning application does not state that the property is in a conservation area and that it affects the character of a conservation area.

2. The extensions planned are out of proportion to the plot, dramatically altering the current house and would result in a property out of keeping with a conservation area in
3. The increased amount of windows at first and second floor level will impact hugely on the privacy of several neighbouring properties, including The Old Cottage, Corner Cottage, Koh-in- Noor, Copthall Cottage, Little Copthall and Pale Farm House.
4. The roof conversion would greatly impact the skyline and previous applications for loft conversions in the conservation area have been refused.
5. The property has already been substantially developed with a block-brick building, (originally two wooden sheds) built recently in the rear garden.
6. The location map provided does not show that the adjoining land to the rear boundary of Kingsmead is part of Copthall Cottage.
7. Whilst Kingsmead could be considered for extending to some degree, I believe that this application exceeds what is suitable or reasonable for a conservation area.

#### Corner Cottage

#### **Objection**

*"We are the immediate neighbours of Kingsmead which is the property relating to this application.*

- *The land is a conservation area and this information appears to be missing from the application. Clearly any development needs to be appropriately in keeping with the adjacent properties and the ethos of the conservation area. Our first primary objection is therefore the enormous scale of the proposed extensions. The original house was of modest proportions set back from the road and centrally in a large square plot so that it was quite discrete, proportionate and with attractive gardens. The application is now for a mansion which will extend to both boundaries on either side.*

- *The owners have already built the largest (and noisy) gravel drive on the lane by an order of magnitude and in so doing have damaged our rear garden hedge, which we have carefully maintained for 27 years. We have had to pay several hundred pounds to install replacement wattle fencing. They also uprooted and killed a 35-yr-old Cypress tree, which cannot be replaced, in what was otherwise an immaculately trimmed front hedge.*

- *The planned development has enormous picture windows and an attic development with windows which will be higher than the other properties around. We find this surprising as we understand that other such plans for loft conversions in this conservation area have not been deemed appropriate.*

- *The current house is set back from the road and not in line with the other properties so that it is halfway down our back garden. The left hand border is*

*approximately 10 yards from our hedge but with the new development it will be immediately adjacent the hedge and tower over our garden. This will leave us looking at a large wall but more importantly the large upper side windows of their property will have a direct view down the whole length of our garden, on to our patio and into our patio windows, dining room, kitchen and three back bedrooms. There will be no area of the back of our house which is not overlooked by these windows and this constitutes a gross invasion of privacy. Furthermore these same upper windows will provide a direct view over the back gardens of all our neighbours on Kings Lane, including Rivendell, Koh-i-nor, Copthall Cottage, Little Copthall, and even across the paddock of Copthall Cottage to Pale Farm House.*

- We have one further serious concern which is that when we moved into our property 27 years ago there was a row of very tall beech trees between our properties in addition to the current hedge. The previous owner of Kingsmead was compelled by his insurance company to have these removed because they were causing subsidence to our property and we had to have strengthening and repair work done. We would be very worried if the extension of Kingsmead towards our house with new foundations dug into the same area were to cause a recurrence of this problem*

- A very large permanent bungalow-sized building has already been erected in the back garden of the property and we feel very concerned for our neighbours in Old Cottage, on the other side of Kingsmead, whose view has been completely blighted by the back of this bungalow in their back garden and now threatened by the building of a very large car port backing on to them at the front. We are also disturbed to find that very few of the affected neighbours listed above have been officially informed.*

*In summary the planned development is grossly disproportionate to our narrow country lane and not in keeping with the surrounding properties or a conservation area. It represents a serious intrusion on our privacy and potential risks to our property.”*

(Received 17/03/16)

## **Corner Cottage**

### **Objection**

*“As the immediate neighbours on the southern side of Kingsmead we have not seen any design changes that address our main concerns. The house is being extended much closer to our boundary so that the main house and rear extension will overlook our whole rear garden, patio and rear windows of our house, 3 bedrooms, dining room and kitchen. It also overlooks the gardens of all our neighbours on the southern side and will therefore be very intrusive into several families' privacy. The development is not sympathetic to its surroundings and certainly not to its neighbours all of whom have objected.*

*Because the house is set back half way down our rear garden extension closer to the boundary will clearly infringe the 45 degree rule in terms of the line of sight from our rear windows*

*Any windows on the southern aspect of the extensions (main house and rear extension) should be as small as possible, fixed (non-opening) and frosted glass.*

*Mention is made of plans for additional trees at the front of the house to provide screening. The occupants have previously removed the hedging screen that was already in place. Some types of tree might be suitable but they need to be mindful that the previous owner planted beech trees and had to remove them because the roots were causing subsidence to our property."*

(Received 09/05/16)

Rivendell, Kings Lane

### **Objection**

*"This is of great concern to me as I am retired and spend a lot of time in my garden. The plans show that I will be overlooked from the new windows resulting in a loss of my privacy which is very important to me."*

(Received via Parish Council 29/03/16)

Objection and petition signed by 7 neighbours (as summarised):

**Size-** new build is approximately 85% larger than the current house.

**Roof Conversion-** front and rear gable ends greatly enlarge an already dominant roof, impacting upon front and rear skylines. Detrimentially affecting the privacy of several surrounding properties.

**Car Port-** has only been marginally reduced and will still affect the light into The Old Cottage due to its height and width, breaking the 25 degree rule applied by the LPA. In addition, the car port will "hide" from view one of the oldest houses in the village.

**Windows-** the greatly increased size and number of windows result in extreme loss of privacy for neighbours on all sides and do not complement the current house or meet the Village Design Statement criteria. The side windows overlooking adjacent properties should be small, fixed and use frosted glass.

**Design-** The design is not sympathetic and does not maintain or enhance the character of the conservation area. The Arts and Crafts design will be lost.

**Side Extension-** by extending 50% to the side a loss of light will be experience by Corner Cottage and Rivendell and this oversteps the light rule both vertically and laterally. Large excavations here also seriously risk causing subsidence to Corner Cottage's foundations.

**Location Plan-** this is inaccurate and misleading as The Old Cottage is only a car width from the boundary fence and not as shown.



## **Key Considerations:**

### Principle of Development

The application site is located within a selected small village in the Green Belt, wherein accordance with policy CS6 of the Core Strategy the principle of a residential extension is acceptable subject to compliance with the relevant national and local policies outlined below. The main issues to the consideration of this application relate to the impact of the proposed extension's character and appearance on the existing dwelling house, surrounding conservation area and impact upon the residential amenity of neighbouring properties.

### Effect on Appearance of the Conservation Area and Existing Building

Saved appendix 7 of the Dacorum Local Plan (1991), policies CS11 and CS12 of the Core Strategy (2013) and the NPPF (2012) all seek to ensure that any new development/alteration respects or improves the character of the surrounding area and adjacent properties in terms of scale, massing, materials, layout, bulk and height.

Paragraph 64 of the NPPF states that permission should be refused for developments of poor design which fail to improve the character and quality of an area. Policies CS27 of the Core Strategy (2013) and saved policy 120 of the Dacorum Local Plan (1991) reinforce this, in addition to stating that great weight should be given to the conservation of designated heritage assets in considering the impact of proposed developments within a Conservation Area.

In accordance with the submitted application the proposed extensions and associated alterations would comprise of facing brickwork walls to be part painted in white render, powder aluminium windows and doors and plain roof tiles. These materials are considered acceptable and in-keeping with the existing dwellinghouse; complying with policies CS12 of the Core Strategy (2013) and saved policy 120 of the Local Plan (1991).

Due to the sensitive location of the dwelling house, a DBC Conservation Officer was consulted on the proposal and the suggested amendments were to marginally set in the single storey rear extension and reduce the size of the proposed rear dormers; the subsequent amendments were made. The relevant Conservation Officer provided the following comments in regards to the amended scheme:

*“Although the footprint of the house is being significantly enlarged, the extensions are appropriately designed. The extension has been pinched in and dormers reduced in size. The garage has been reduced from three to two bays and is now proportionate to the scale of the house.”*

The proposed extensions and alterations would retain the character of the original

property. The existing front gable feature would be replicated within the proposed two storey side extension, and respect is paid to existing front and rear build lines and roof form. Furthermore, the proposed carport has been reduced to a maximum 4 metre height to reduce dominance in relation to the visual appearance of the main property.

The dwelling house is marginally visible from the street scene due to its location within the site and existing front boundary treatment. Similarly, the immediate street scene contains no uniformed architectural style of property and as a result no objections are raised in regards to the design of the proposed alterations to the dwelling house.

The application site is situated significantly further back from Kings Lane than the immediately neighbouring properties; in this regard the proposed forward situ of the carport would not project beyond the neighbouring properties build lines and therefore would not appear out of context, or prominent within the established building lines.

As a result the proposal is not considered to have an adverse impact upon the character and appearance of existing dwellinghouse or Chipper field Conservation Area. The proposal is therefore in accordance with saved appendix 7 and policy 120 of the Dacorum Local Plan (1991), policies CS11, CS12 and CS27 of the Core Strategy (2013) and the NPPF (2012).

#### Effect on Amenity of Neighbours

The NPPF outlines the importance of planning in securing good standards of amenity for existing and future occupiers of land and buildings. Saved appendix 3 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013), seek to ensure that new development does not result in detrimental impact upon neighbouring properties and their amenity space. Thus, the proposed should be designed to reduce any impact on neighbouring properties by way of visual intrusion, loss of light or privacy.

Due to the further forward build lines of neighbouring properties, Corner Cottage and The Old Cottage the proposed single storey rear extension would not result in loss of outlook, daylight or privacy to neighbouring properties. Similarly, the rear extension would be located 38 meters (approximately) away from neighbouring properties, Rivendell and Noh-I-Nor, located adjacent to the site.

Concerns have been raised in regards to loss of privacy and overlooking which may result from the two storey side extension. In order to mitigate such an externality from occurring, a condition for obscure glazed first floor windows has been attached to the grant permission. This has been further enforced by a condition ensuring the implementation of replacement boundary hedging.

The proposed carport would run adjacent to the boundary with, The Old Cottage. Nonetheless, the proposed structure is not considered to result in a severe loss of light or privacy to neighbouring residents due to the existing side elevation of The Old

Cottage featuring a blank façade except for a single ground floor window which would be situated before the proposed carport. Furthermore, the proposed 4 metre height and hipped roof form of the carport, which would be pitched away from the neighbouring property, would reduce the any loss of daylight to The Old Cottage which may result.

As a result the proposal in regards to residential amenity is acceptable in terms of the NPPF (2012), saved appendices 3 and 7 of the Local Plan (1991) and policy CS12 of the Core Strategy (2013).

#### Impact on Car Parking Provision

The Council's Parking Guidelines outlined within saved appendix 5 of the Local Plan (1991) requires three off street parking spaces for four+ bed dwellings within Residential Zone 3-4. The application seeks to increase the number of bedrooms from four to six, which would not require an increase in parking provision. Furthermore, the off street parking provision is sufficient to accommodate at least four domestic cars. As a result it is not considered that the proposal would impact upon the safety and operation of the adjacent highway. The proposal meets the requirements of policy CS12 of the Core Strategy (2013) and saved appendix 5 of the Local Plan (1991).

#### Consultation Response

Several concerns were received as a result of the application. The main concerns are addressed below:

*Overdevelopment in the Greenbelt-* The application site is located within a designated small village in the Greenbelt and therefore household extensions are acceptable in principle subject to compliance with other policies in the plan. There is no capped percentage allowance in the small villages.

*Loss of light to neighbouring property, The Old Cottage, as a result of the proposed carport-* this has been addressed within the residential amenity section above. In short, the marginal proposed height and roof form of the carport is not considered to severely impact upon the neighbouring property- taking into consideration both the existing site circumstance and granted side extension.

*Outbuilding constructed in rear garden-* This outbuilding has been constructed without planning permission under Class E of the General Permitted Development Order and does not form part of the consideration for this planning application. Nonetheless, due to the orientation of the outbuilding to the North of the application site, it is not considered that the structure results in a significant loss of daylight to the rear garden of the Old Cottage.

*Removal of existing hedging to the front of the property-* The proposed site location

plan features front and side boundary treatment to shield the proposal from both neighbouring residents and street view. To ensure this boundary treatment is implemented/retained a condition in this regard has been attached to the grant recommendation.

*Not in-keeping within the Conservation Area-* The proposal has been amended in line with the Conservation Officer's comments, who supports the amended scheme.

*Loft conversion resulting in loss of privacy to neighbouring properties-* The west facing orientation of the dormer windows would not overlook the adjacent properties (Little Copthall, Copthall Cottage, Koh-I-Nor, Rivendell, Corner Cottage).

*Additional windows proposed resulting in loss of privacy-* The additional windows proposed on the south-east two storey side extension would not result in an adverse loss of privacy to adjacent properties due to a 38 metre (approximate) separation distance. Nonetheless, to protect the privacy of the rear garden of Corner Cottage a condition for obscure glazed windows has been attached to the Grant permission. No additional windows are proposed to the North- West elevation.

*Structural problems caused by extension-* this is not a Development Management consideration and will be addressed at Building Control stage.

*Installation of noisy gravel driveway-* Under Class F of the General Permitted Development Order the resurfacing of driveways with a permeable material does not require planning consent.

**RECOMMENDATION** - That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in size, colour and texture those used on the existing building.**

Reason: To ensure a satisfactory appearance to the development and Chipperfield Conservation Area; in accordance with policy CS12 and CS27 of the Core Strategy (2013) and saved policy 120 of the Local Plan (1991).

- 3 The windows at first floor level in the South-East elevation of the side extension hereby permitted shall be permanently fitted with obscured**

**glass.**

Reason: In the interests of the residential amenities of the occupants of the adjacent dwellings; in accordance with policy CS12 of the Core Strategy and saved appendix 3 of the Local Plan (1991).

- 4 **All hard and soft landscape works shall be carried out and maintained in accordance with the approved details on site plan (3207 01 Rev B). The works shall be carried out prior to the occupation of any part of the development or in accordance with an agreed timescale.**

Reason: To ensure a satisfactory appearance to the development and to safeguard the verdant character aspect of Chipperfield Conservation Area; in accordance with policy CS12 of the Core Strategy and saved policy 120 of the Local Plan (1991).

- 5 **The development hereby permitted shall be carried out in accordance with the following approved plans/documents:**

**3207 06 Rev E**  
**3207 05 Rev E**  
**3207 01 Rev B**  
**3207 09**

Reason: For the avoidance of doubt and in the interests of proper planning.

### **Article 35 Statement**

Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.